IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THOMAS WHATLEY III,	§	
Plaintiff	§	
	§	CIVIL ACTION NO.
vs.	§	4:14-cv-00710-ALM
	§	
COMMONWEALTH FINANCIAL	§	
SYSTEMS, INC. d/b/a NCC, and	§	
PENDRICK CAPITAL PARTNERS,	§	
LLC	§	
Defendants	§	

PLAINTIFF'S UNOPPOSED MOTION TO APPEAR TELEPHONICALLY
AT THE RULE 16 MANAGEMENT CONFERENCE

COMES NOW, Thomas Whatley III ("Plaintiff") in the above-styled civil action, by and through his counsel, and hereby files this Motion to Appear Telephonically at the Rule 16 management conference. In support, Plaintiff respectfully shows the Court as follows:

1. The Court has set a Rule 16 management conference for June 4, 2015 at 1:30 p.m.
2. Plaintiff's counsel is out-of-town in Phoenix, Arizona.
3. This case is a "fee-shifting" case where the Defendant is responsible for payment of Plaintiff's attorneys' fees and costs should Plaintiff be determined to be the prevailing party. Plaintiff's objective is to minimize attorneys' fees and costs.
4. To incur travel expenses to appear in person would raise the expense of the case.
5. The parties have conferred and Defendants are unopposed to the relief sought by this motion.

6. The Court's action of allowing Plaintiff's counsel to appear telephonically at the Rule 16 Management Conference would not in any way prejudice Plaintiff or Defendants, nor would it delay any hearings or the setting of trial.

7. Plaintiff's counsel will be able to fully and completely participate in the conference by telephone, and so no prejudice will result from this Court granting the relief requested herein.

WHEREFORE, Plaintiff respectfully requests that the Court grant this unopposed motion for Plaintiff's counsel to appear telephonically at the Rule 16 management conference.

Dated: May 7, 2015

Respectfully Submitted,

/s/ Joseph Panvini
Joseph Panvini
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Attorney for Plaintiff
Thomas Whatley III

CERTIFICATE OF CONFERENCE

I certify that the parties have conferred and Defendant is unopposed as to the subject matter of this motion. On May 7, 2015, Defendants provided through counsel of record, an email containing their statement of no opposition. I so certify.

s/ Joseph Panvini
Joseph Panvini

CERTIFICATE OF SERVICE

I certify that on May 7, 2015, a true and correct copy of Plaintiff's Unopposed Motion to Appear Telephonically at the Rule 16 Management Conference was filed with the Clerk of the U.S. District Court, Eastern District of Texas, using the CM/ECF system of the Court. Notification of the foregoing was sent to Defendants, CommonWealth Financial Systems, Inc. and Pendrick Capital Partners, LLC, through counsel of record below via the Court's CM/ECF system.

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/s/ Christopher Bruner
Christopher Bruner